WP-1762/06

O.M.

आदेश पत्रक (पुर्वानुब

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित
	25-07-2006. Dr. N.K. Shukla, learned senior counsel with Shri A.K. Yadav, learned counsel for the petitioners. Shri Mukesh Sharma, learned counsel for respondent No. 1. Heard. Order passed separately, signed and dated. Sd/- Chief Justice

GRPRJ—Fs /199—4/2005—50,000.

2-8-06

(186)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO. 1761 OF 2006.

PETITIONERS

1. Steel Authority of India Limited through its Chairman, SAIL, Ispat Bhawan, Lodhi Road, New Delhi.
2. Steel Authority of India Limited through its Managing Director, Bhilai Steel Plant, Bhilai, Distt. Durg (C.G.)

Vs.

RESPONDENTS

1. M/s. Amar Engineering Works, through – Partner Kedarnath Singhal, aged about 65 years, son of Shri Motilal Singhal, R/o. 165, New Civic Centre, Bhilai, District Durg (CG).
2. Shri B.S. Gupta, *Arbitrator* "Saubhagya", 1- S.M. Padmanbhpur, District Durg, (C.G.) 491 001.

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2. Shri B.S. Gupta, *Arbitrator* "Saubhagya", 1- S.M. Padmanbhpur, District Durg, (C.G.) 491 001.

Present : Dr. N.K. Shukla, senior counsel with Shri A.K. Yadav, learned counsel for the petitioners.
Shri Mukesh Sharma, learned counsel for respondent No.1.

ORAL ORDER

(Passed on 25th July, 2006)

In all these writ petitions, the order made by the learned District Judge, Durg appointing the Arbitrator under Section 11(6) of Arbitration Act has been assailed. In the light of the judgment of the Apex Court in **M/s. S.B.P. &Co. vs. M/s. Patel Engineering Ltd. & Anr.**[1], the learned District Judge ought to have transferred the application to the Chief Justice of this Court. In that view of the matter, the impugned orders are set aside.

(2) The learned District Judge is directed to refer the applications to the Chief Justice of this Court.

Sd/-
Chief Justice

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1. 2006(I) MPJR 1 = (2005) 8 SCC 638